

May 9, 1991
REPORT TO THE HONORABLE
MAYOR AND CITY COUNCIL

REFERENDUM PETITION TO REPEAL ORDINANCE NO. O-17609 RELATING TO THE
BAN
OF ALCOHOL AT CERTAIN CITY PARKS AND BEACHES.

On April 17, 1991, a referendum petition requesting the City Council to repeal or rescind Ordinance No. O-17609 (N.S.) or to submit the ordinance to City voters for their approval or rejection has been filed with the City Clerk and has been certified by the City Clerk.

Pursuant to San Diego Municipal Code sections 27.2615 and 27.2616 the Council must, within ten (10) days of the Clerk's presentation of the petition to the Council, reconsider and repeal the ordinance or adopt a resolution of intention to submit the matter to the people at a special election or any other election at which all the voters of the City are entitled to vote, to be held within eleven (11) months from the date the referendary petition is presented to the Council.

Therefore, the City Attorney has prepared alternate resolutions described below for your consideration and vote. Only one of these may be approved.

1. One resolution (City Attorney No. R-91-1915) grants the above-referenced petition and directs the City Attorney to prepare and docket an ordinance repealing Ordinance No. O-17609 (N.S.).

If the resolution is adopted, the Council may introduce an ordinance (City Attorney No. O-91-167) repealing Ordinance No. O-17609 (N.S.). The proposed ordinance is also attached.

2. The second resolution (City Attorney No. R-91-1923) states that the City Council rejects the above-referenced petition and directs the City Attorney to prepare an ordinance calling a special election to be held no later than April 13, 1992.

Respectfully submitted,
JOHN W. WITT
City Attorney

CCM:mk:011 (043.1)
RC-91-25